

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kotewicz *et al.*

Appl. No. 10/024,149

Filed: December 21, 2001

For: **Cloned Genes Encoding Reverse  
Transcriptase Lacking RNase H  
Activity**

Confirmation No. 4033

Art Unit: 1652

Examiner: *To Be Assigned*

Atty. Docket: 0942.049000A/RWE/MTT

**First Supplemental Information Disclosure Statement**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed herewith in connection with the above-captioned application. All documents were cited by or submitted to the Office in Application No. 08/798,458, filed February 10, 1997.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

This First Supplemental Information Disclosure Statement is being filed more than three months after the U.S. filing date but before the mailing date of a first Office Action on the merits. No statement or fee is required.

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: March 5, 2003

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FORM PTO-1449  FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 0942.049000A/RWE/MTT	APPLICATION NO. 10/024,149
	APPLICANTS Kotewicz et al.	
	FILING DATE December 21, 2001	GROUP 1652

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
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	AH						
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	AJ						
	AK						

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR		
AS	13	Brewer, L.C. and Wells, R.D., "Mechanistic Independence of Avian Myeloblastosis Virus DNA Polymerase and Ribonuclease H," J. Virol. 14:1494-1502, American Society for Microbiology (1974)	
AT	13	Kimmel, A.R. and Berger, S.L., "Preparation of cDNA and the Generation of cDNA Libraries: Overview," Meth. Enzymol. 152:307-389, Academic Press, Inc. (1987)	

EXAMINER

DATE CONSIDERED

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	14	Myers, J.C. and Spiegelman, S., "Sodium pyrophosphate inhibition of RNA•DNA hybrid degradation by reverse transcriptase," <i>PNAS USA</i> :75:5329-5333, National Academy of Sciences (1978).
AS	14	Rho, H.M., "Biochemical and Immunological Characterization of the DNA Polymerase and RNase H in Feline Leukemia Virus," <i>Korean J. Zoology</i> 22:141-152, Seoul Tukpyolsi: Han'guk Tongmul Hakhoe (1979)
AT	14	Rho, H.M. and Gallo, R.C., "Biochemical and Immunological Properties of the DNA Polymerase and RNase H Activities of Purified Feline Leukemia Virus Reverse Transcriptase," <i>Cancer Letters</i> 10:207-221, Elsevier/North Holland Scientific Publisher Ltd. (1980)

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	AL						Yes No
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	AN						Yes No
	AO						Yes No
	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>15</u>	Weiss, J. et al., "Production and Characterization of Monoclonal Antibodies Against Avian Retrovirus Reverse Transcriptase," <i>J. Virol.</i> 45:859-863, American Society for Microbiology (1983)
	AS	<u>15</u>	Weiss, R. et al., eds., <i>Molecular Biology of Tumor Viruses</i> , 2d edition, Chapter 5, "RNA Tumor Viruses," pp. 75-80, Cold Spring Harbor Laboratory, Cold Spring Harbor, NY (1985).
	AT		

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